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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,333	04/24/2000	Mary Michelle Quinton	210599	7798

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EXAMINER
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ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/557,333	QUINTON, MARY MICHELLE	
	Examiner	Art Unit	
	Olisa Anwah	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-91 is/are pending in the application.
- 4a) Of the above claim(s) 9 and 11-77 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 78-91 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. For instance, claim 1 recites: wherein various vendors can provide pluggable communications services using terminal objects. However Applicant's specification fails to positively describe this feature. Should Applicant insist on claiming this limitation, Examiner respectfully requests that Applicant point out where this feature is explicitly described in the specification. Claims 78 and 85 are rejected for the same reasons.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-4, 6-8 and 78-91 is rejected under 35 U.S.C. § 102(e) as being anticipated by Monaco et al, U.S. Patent No. 6,314,402 (hereinafter Monaco).

Regarding claim 1, Monaco discloses an enhanced interactive voice response system, comprising:

a call router (see column 6) to route an internet protocol telephony call;

an interactive voice response application to receive the Internet protocol telephony call from the call router; and

a telephony API used by the application to form a connection with a caller and control a media stream transmitted over the connection by selecting a terminal object from among a group of registered terminal objects adhering to a uniform interface, each providing specific functionality to process the media stream, wherein various vendors can provide pluggable communications services using terminal objects (see Figures 12 and 13).

Regarding claim 2, see column 6.

Regarding claim 3, see column 6.

Regarding claim 4, see column 6.

Regarding claim 6, see Figure 12.

Regarding claim 7, see Figure 12.

Regarding claim 8, see Figure 12.

Regarding claim 78, Monaco discloses a method of handling an internet protocol telephony call in an interactive voice response application, comprising:

listening for an internet protocol telephony call;

receiving an internet protocol telephony call from a call router (see column 6);

forming a connection with a caller using a telephony API;  
and

controlling a media stream transmitted over the connection by selecting a terminal object from a group of registered terminal objects exposed by a telephony API and adhering to a uniform interface, each providing specific functionality to process the media stream, wherein various vendors can provide pluggable communications services using terminal objects (see Figures 12 and 13).

Regarding claim 79, see Figure 12.

Regarding claim 80, see abstract.

Regarding claim 81, see column 19.

Regarding claim 82, see column 9.

Regarding claim 83, abstract.

Regarding claim 84, see column 19.

Regarding claim 85, Monaco discloses a computer-readable medium containing instructions for controlling a computer system to handle an internet protocol telephony call in an interactive voice response application, by a method comprising:

receiving an internet protocol telephony call from a call router (see column 6);

forming a connection with a caller using a telephony API;  
and

controlling a media stream transmitted over the connection by selecting a terminal object from a group of registered terminal objects exposed by a telephony API and adhering to a uniform interface, each providing specific functionality to process the media stream, wherein various vendors can provide pluggable communications services using terminal objects (see Figures 12 and 13).

Regarding claim 86, see column 2.

Regarding claim 87, see columns 10 and 11.

Regarding claim 88, see column 19.

Regarding claim 89, see column 9.

Regarding claim 90, see column 90.

Regarding claim 91, see column 19.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5 and 10 are rejected under 35 U.S.C § 103(a) as being unpatentable over Monaco in view of Ram et al, U.S. Patent No. 6,625,258 (hereinafter Ram).

Regarding claim 5, Monaco does not explicitly mention a client computer, wherein a user at the client computer receives the internet telephony call routed from the router based upon the caller's interaction with the interactive voice response

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application. However, Ram discloses this feature (see columns 12 and 13). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Monaco with the client computer of Ram. This modification would have improved the flexibility of Monaco by providing the ability to form a variety of different IVR applications as suggested by Monaco.

Regarding claim 10, Monaco does not explicitly teach a client computer retrieves call information from the data store. However, Ram discloses this feature (see columns 12 and 13). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Monaco with the client computer of Ram. This modification would have improved the flexibility of Monaco by providing the ability to form a variety of different IVR applications as suggested by Monaco.

#### ***Response to Arguments***

6. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

**Conclusion**

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be

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reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA.  
Olisa Anwah  
Patent Examiner  
April 26, 2006

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600